

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NEIL SURESH CHANDRAN and
BRYAN LEE,

Defendants.

CASE NO: 4:22CR3077

**MOTION TO DISMISS
SUPERSEDING INDICTMENT**

Defendant Neil Suresh Chandran hereby moves the Court pursuant to Fed. R. Crim P. 12(b)(3)(B) to dismiss the Superseding Indictment (Docket #75) in this case. In support of this motion, Mr. Chandran states:

1. An indictment against a criminal defendant must state the elements of the offenses he is alleged to have committed and fairly inform the defendant of the nature of the charges so that he can prepare a defense.

2. Any objections to an Indictment's failure to meet this standard must be made prior to trial. Fed. R. Crim. P. 12(b)(3)(B).

3. The Superseding Indictment in this case lacks specificity, which is a defect recognized in Rule 12(b)(3)(B)(iii).

4. The Superseding Indictment also fails to state an offense even if one assumes its allegations are true. Failure to state an offense is cause for dismissal under Rule 12(b)(3)(B)(v).

5. A brief further explaining these defects and the grounds for dismissal is filed simultaneously with this motion and incorporated herein by reference.

WHEREFORE, Mr. Chandran respectfully requests that the Court dismiss the Superseding Indictment.

NEIL SURESH CHANDRAN, Defendant,

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